

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

UNITED STATES OF AMERICA

VS.

**OSCAR OLIVER,**

Defendant

NO. 5:07-CR-5 (CAR)

**VIOLATION(S): Firearms Related**

<b>ORDER FOR PSYCHIATRIC/PSYCHOLOGICAL EVALUATION</b>
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Counsel for defendant OSCAR OLIVER has filed a **MOTION FOR PSYCHOLOGICAL OR PSYCHIATRIC EVALUATION**. Tab #13. She avers in her motion that the defendant has exhibited behavior causing her to believe that he may be suffering from a mental impairment which could affect his ability to assist her in representing him and which could affect his ability to comprehend the nature and seriousness of the charges pending against him. Upon consideration of that motion and of the contents of the Pretrial Services Report prepared by the U. S. Probation Office, and noting that counsel for the government does not oppose the defendant's motion, the undersigned has determined that there is a need for more detailed information concerning defendant OLIVER, including his personal traits, capabilities, background, any mental or physical defects, and any other relevant factors.

The court is of the opinion that the said OSCAR OLIVER should be examined by a psychiatrist and/or psychologist to determine his competence to assist properly in his own defense and to understand the nature and consequences of the present proceedings against him, as well as his mental condition at the time of the offense(s) he stands accused of committing. **THEREFORE**, in accordance with the request of the government, and pursuant to 18 U.S.C. §4241, §4242 and §4247 (b) and (c), **IT IS ORDERED AND DIRECTED:**

That at least one qualified psychiatrist/psychologist to be designated by the **BUREAU OF PRISONS** be, and hereby is, appointed, authorized and directed by the court to examine the mental condition of the defendant OSCAR OLIVER as outlined above and to return a written report to the court, counsel for the defendant, and the UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF GEORGIA of his/her findings as soon as practicable, in which report the said psychiatrist/psychologist shall state his/her opinion:

(a) whether the defendant has sufficient present ability to consult with his attorney with a reasonable degree of rational understanding;

(b) whether the defendant has a present rational, as well as factual, understanding of the proceedings against him;

(c) whether the defendant was at the time of the alleged criminal conduct, as a result of mental disease or defect, lacking substantial capacity to appreciate the wrongfulness of his conduct; and,

(d) whether the defendant was at the time of the alleged criminal conduct, as a result of mental disease or defect, lacking substantial capacity to conform his conduct to the requirements of the law.

In making such examination of the defendant, said psychiatrist/psychologist shall be authorized and empowered to provide such TREATMENT and MEDICATION as he/she deems necessary and proper to assist him/her in making the evaluation required by this Order.

IT IS FURTHER ORDERED that two certified copies of this Order be given to the **UNITED STATES MARSHAL** of the court who is hereby directed to convey this Order to at least one qualified psychiatrist/psychologist designated by the **BUREAU OF PRISONS** and to make such other arrangements as are necessary for the examination of the said OSCAR OLIVER. **THE PERIOD FOR EXAMINING AND EVALUATING SAID DEFENDANT SHALL NOT COMMENCE UNTIL SAID DEFENDANT SHALL BE RECEIVED AT THE FACILITY DESIGNATED FOR MAKING SUCH EXAMINATION/EVALUATION.**

IT IS FURTHER ORDERED that the time required to conduct said examination and evaluation shall be excluded from the computation of time within which the trial of this case must commence under provisions of the Speedy Trial Act, 18 U.S.C. §3161(h)(1)(A).

SO ORDERED, this 9<sup>th</sup> day of March, 2007.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE